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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,411	11/07/2001	Travis J. Parry	10013282-1	4329

7590 03/06/2008  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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03/06/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/053,411	PARRY, TRAVIS J.
	Examiner Jerome Grant II	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 December 2007.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3,5-13 and 16-20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-3, 5-13 and 16-20 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-13, and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Okada.

With respect to claim 1, Okada teaches a method of distributing a fax, said method comprising: receiving said fax *received at specified phone number or each intended recipient of said facsimile (as discussed at col. 9, lines 55-62, col. 8, lines 1-8 and col. 8, lines 58-62)*. Okada teaches that a fax is sent via LAN 213 or net fax 212 as sent to a specified phone number of each intended recipient of said facsimile – this is taught by figures 9 and 10, paragraph 19 and the Abstract at lines 11-16- note that each address to which a facsimile is directed will reach the intended recipient fax by the telephone number assigned to the fax machine); storing said facsimile on a storage medium 5 at a specific location( in net fax 212); identifying an Internet enabled device (client

computer 211) associated with the intended recipient of said fax, said Internet enabled device independently selected from a group consisting of : e-mail printers (210, 212) web server printer 1; e-mail print servers 210 and 212, and a web browser enabled printer 210 or 212; notifying each identified Internet enable device of said specific location (see paragraphs 19, 21 and 24) for said saved fax so that the identified Internet enabled device can later retrieve said saved fax from the specific location (para. 71) such notification made via notification message to the enabled device (see para. 71, lines 1-3), the notification message not contained the saved fax. See also figures 2 and 24.

With respect to claim 2, Okada teaches each Internet enabled device of the specific location (e-mail address) comprises sending the enabled device an e-mail identifying the specific location. See paragraphs 64 and 68.

With respect to claim 3, Okada teaches this limitation in that it is inherent by paragraph 71.

With respect to claim 5, Okada teaches receiving the fax at a registered address 211 – or as *sent to a specified phone number or each intended recipient of said facsimile (as discussed at col. 9, lines 55-62, col. 8, lines 1-8 and col. 8, lines 58-62)*; receiving the fax (from net fax 212) (at a registered address/phone number for each intended recipient of said facsimile) – this is taught by figures 9 and 10, paragraph 19 and the abstract at lines 11-16- note that each address to which a facsimile is directed will reach the intended recipient fax by the telephone number assigned to the fax machine); determining (via LAN) a set of intended recipients (plural PC users, shown by figure 3); storing said facsimile on a storage medium 5 at a specific location( in net fax 212); notifying each identified Internet enable device of said specific location (see paragraphs 19, 21 and 24) for said saved fax so that the identified Internet enabled device can later retrieve said saved fax from the specific location (para. 71) such notification made via notification message to the enabled device (see para. 71, liens 1-3), the notification message not contained the saved fax. See also figures 2 and 24. Okada teaches identifying an Internet enabled device (client computer 211) associated with the intended recipient of said fax, said Internet enabled device independently selected from a group consisting of : e-mail printers (210, 212) web server printer 1

With respect to claim 6, the registered address is the address of the net fax.

With respect to claim 7, Okada teaches the fax distribution center comprising a computer program (stored in ROM 32, RAM 33), saving and sending faxes, sending e-mails, and determining recipients of saved faxes. See page 5 and paragraph 73.

With respect to claims 8 and 11, Okada teaches wherein the registered address is selected from the group consisting of phone numbers (see para. 75), e-mail addresses (see paragraph 74 and URLs, see host or domain names information which his is shown in figures 5 and 6.

With respect to claim 9, see figure 7 which shows the claimed features.

With respect to claim 10, see figures 7 and 8 which show the claimed features.

With respect to claim 12, see figure 7.

With respect to claim 13, see figures 7 and 8. Note that data is stored on memory 5.

With respect to claim 16, Okada teaches notifying each identified Internet enable device of said specific location (see paragraphs 19, 21 and 24) for said saved fax so that the identified Internet enabled device can later retrieve said saved fax from the specific location (para. 71) such notification made via notification message to the enabled device (see para. 71, lines 1-3), the notification message not contained the saved fax. See also figures 2 and 24. Okada teaches activating an enabled Internet device to retrieve the fax from the storage, see (para. 71).

With respect to claim 17, see printer 44 of figure 12 or 210 and 211 of figures 24.

With respect to claim 18, Okada teaches a system for distributing faxes, said system comprising: a fax distribution center (net fax 212) for receiving faxes, *as sent to a specified phone number or each intended recipient of said facsimile* (as discussed at col. 9, lines 55-62, col. 8, lines 1-8 and col 8, lines 58-62); *saving the received raxes, in RAM 33.* sending faxes, and sending notifications. Okada teaches 212 as sent to a specified phone number of each intended recipient of said facsimile – this is taught by figures 9 and 10, paragraph 19 and the Abstract at lines 11-16- note that each address to which a facsimile is directed will reach the intended recipient fax by the telephone number assigned to the fax machine. Okada teaches identifying an Internet enabled

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device (client computer 211) associated with the intended recipient of said fax, said Internet enabled device independently selected from a group consisting of : e-mail printers (210, 212) web server printer 1 and notifying each identified Internet enable device of said specific location (see paragraphs 19, 21 and 24) for said saved fax so that the identified Internet enabled device can later retrieve said saved fax from the specific location (para. 71) such notification made via notification message to the enabled device (see para. 71, lines 1-3), the notification message not contained the saved fax. See also figures 2 and 24. Okada teaches a storage media 5 for storing saved faxes for a distribution center; and a database (table 7 and 8) stored in 5 for determining intended recipients.

With respect to claim 19, Okada teaches a fax center comprising at least one computer program stored on ROM 32 or RAM 33, for receiving faxes, accessing the data based to determine an Internet enable device recipient, and notifying the device by e-mail. Moreover, Okada teaches notifying each identified Internet enable device of said specific location (see paragraphs 19, 21 and 24) for said saved fax so that the identified Internet enabled device can later retrieve said saved fax from the specific location (para. 71) such notification made via notification message to the enabled device (see para. 71, lines 1-3), the notification message not contained the saved fax. See also figures 2 and 24.

With respect to claim 20, Okada teaches at least one computer program via ROM 32 or RAM 33 for receiving faxes, saving faxes (in a memory 5) and sending notification messages (see paragraph 60, 61 and 68) and at least one communication port for communicating with the Internet or a phone line (via LAN 225).

2.

#### **Examiner's Remarks**

While applicant's 10 page response is impressive, the arguments were directed toward, what the examiner contends, is an explanation of Okada extraneous to the present invention. In other words, Applicant skillfully provided examples in which Okada taught away from the present invention while not addressing the specific example of how the claims were anticipated at least by one example of Okada's disclosure.

With respect to the 2<sup>nd</sup> full paragraph at page 7, applicant argues Okada is directed to a transmitter as opposed to a receiver. But claim 1 is directed toward a distribution of a facsimile and no language specifying a "receiver" is claimed. Furthermore, there is neither receiver nor other means for acquiring the facsimile as claimed. At best the claim provides for "notification" as to identifying a fax which may or may not be acquired.

With respect to the 3<sup>rd</sup> full paragraph and throughout, the applicant's salient point is that Okada fails to provide, "... notifying each identified Internet enabled device of said specific location for said saved facsimile so that the identified Internet enabled device can later retrieve said saved facsimile from said specific location."

At paragraph 60, Okada explains that PC 211 is the requesting node which requests a fax transmission. The last three lines of para. 60 states that an e-mail address of the pc 211 is attached to the facsimile data. Hence, this e-mail address serves as a notification of the fax pc 211 that fax data has been stored in data storage section 5.

The internet enabled device is LAN 213 or Net Fax 212, which is notified of the location (e-mail address para. 60, last three lines) of the location of the saved facsimile (storage section 5, at pc 211).

Hence, pc 211 identifies LAN 213 or Net Fax 212 of an intended recipient (printer machine 210). Okada teaches exactly what is claimed.

In conclusion, the LAN 213 or Net Fax 212 is the Internet enabled device which has been notified by a pc 211 of a specific location of the fax image (stored in element 5, according to paragraph 60) so that the enabled device can retrieve the fax from the memory 5, stored in LAN interface 7, and sent to destination 210.

3.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

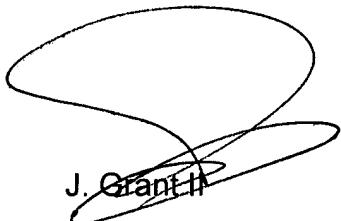
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Fri from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles, can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J. Grant II